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Qur'ân & Sunnah**

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**Volume 2**

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## The Fifth Book

### The Book of *Hajj* (Pilgrimage)

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## **The First Chapter**

## **The Rulings of Hajj**

### **The First Section: The Obligation to Perform Hajj**

#### **1. Definition of Hajj:**

The linguistic meaning of the word *Hajj* is intention, so the meaning of the Words of Allah, The Most High:

﴿وَلِلّٰهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ اِلَيْهِ سَبِيْلًا﴾

“And Hajj (pilgrimage to Makkah) to the House (the Ka’bah) is a duty that mankind owes to Allah, those who can afford the expenses (for one’s conveyance, provision and residence)” (Surah Ali ‘Imran 3:97)



*Al-Khifaf*: The plural of *khuff* (leather sock), which is worn; as for the *khuff* of the camel, its plural is *akhfaf*.

*Al-Ka'bain*: They are the bones which protrude from the point at which the legs join the feet (i.e. the ankles).

*Al-Wars*: It is a yellow plant, with a pleasant perfume, which is used as a dye; its meaning may be extended to include all yellow coloured garments.

## 2. A woman should not wear a *niqab*<sup>[1]</sup> nor should she wear gloves:

It is reported on the authority of 'Abdullah Ibn 'Umar ؓ that the Prophet ﷺ said:

«لَا تَتَقَبِّ الْمَرْأَةُ الْمُحْرِمَةَ وَلَا تَلْبَسِ الْقَفَّازِينَ»

"A woman who is in a state of *ihram* should not wear a *niqab* and nor should she wear gloves." This is an authentic *hadeeth*.<sup>[2]</sup>

## 3. The *muhrim* should not apply perfume when entering the state of *ihram*:

It is reported on the authority of Safwan Ibn Ya'la Ibn Umayyah that Ya'la ؓ used to say to 'Umar Ibn Al-Khattab ؓ: "I wish I could see the Messenger of Allah ﷺ at the time when he is being inspired divinely." Ya'la ؓ added: "While the Prophet ﷺ was at Al-Ji'ranah, shaded with a cloth sheet (in the form of a tent) and there were staying with him some of his Companions ؓ under it, suddenly there came to him a Bedouin wearing a cloak and perfumed extravagantly. He said: "Oh, Messenger of Allah! What is your opinion regarding a man who assumes the state of *ihram* for 'Umrah wearing a cloak after applying perfume to his body?" 'Umar ؓ signalled with his hand to Ya'la ؓ to come

(near). Ya'la ؓ came and put his head (underneath that cloth sheet) and saw the Prophet ﷺ red-faced and when that state (of the Prophet ﷺ) was over, he said:

«أَيْنَ الَّذِي سَأَلَنِي عَنِ الْعُمْرَةِ آفَافًا؟» فَالْتُمَسَ الرَّجُلُ، فَجِيءَ بِهِ، فَقَالَ النَّبِيُّ ﷺ: أَمَّا الطِّيبُ الَّذِي بِكَ، فَاغْسِلْهُ ثَلَاثَ مَرَّاتٍ، وَأَمَّا الْجُبَّةُ، فَانْزِعْهَا، ثُمَّ اصْنَعْ فِي عُمْرَتِكَ مَا تَصْنَعُ فِي حَجِّكَ»

"Where is he who has already asked me about the 'Umrah?" The man was looked for and brought to the Prophet ﷺ. The Prophet ﷺ said (to him): "As for the perfume you have applied to your body, wash it off (your body) three times and take off your cloak, and then perform in your 'Umrah the rites you perform in your Hajj." This is an authentic *hadeeth*.<sup>[1]</sup>

It is permissible for the *muhrim* to keep the perfume that was on his body before he entered the state of *ihram*:

It is reported on the authority of 'A'ishah ؓ, the wife of the Prophet ﷺ that she said:

«كُنْتُ أُطِيبُ رَسُولَ اللَّهِ ﷺ لِإِحْرَامِهِ حِينَ يُحْرِمُ وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ»

"I used to scent the Messenger of Allah ﷺ when he wanted to assume *Ihram* and also on finishing *Ihram* before the *Tawāf* (round of the Ka'bah)." This is an authentic *hadeeth*.<sup>[2]</sup>

## 4. The *muhrim* should not trim his nails:

Ibn Al-Munzir said:<sup>[3]</sup> "There is a consensus among the scholars that trimming the nails is unlawful for the *muhrim*."

<sup>[1]</sup> *Niqab*: A veil.

<sup>[2]</sup> Narrated by Al-Bukhari (no. 1838), At-Tirmizi (no. 833), An-Nasa'i (5/133), Ahmad (2/119) and Abu Dawood (no. 1825).

Narrated by Al-Bukhari (no. 4985) and Muslim (no. 8/1180).

Narrated by Al-Bukhari (no. 1539) and Muslim (no. 33/1889).

See: 'Al-Ijma' (no. 57).

These are the occasions on which it has been reported that it was abrogated, although there is some disagreement regarding the authenticity of some of them.

### Firstly: At Khaibar

It was reported that 'Ali ؓ said to Ibn 'Abbas ؓ: "The Prophet ﷺ prohibited *mut'ah* marriage and domestic donkey meat at the time of Khaibar." This is an authentic *hadeeth*.<sup>[1]</sup>

I say: The Prophet ﷺ prohibited *mut'ah* marriage on the day of the Battle of Khaibar and then he permitted it after that. Then he prohibited it once again in the year of the Conquest (of Makkah) but the license was not conveyed to 'Ali Ibn Abi Talib, so he based his statement on what he had heard from the Messenger of Allah ﷺ in the *hadeeth* of the prohibition on the day of the Battle of Khaibar and also on the final position in the matter.

### Secondly: During 'Umrah Al-Qadah' (the Compensatory 'Umrah)

It is reported on the authority of Al-Hasan Al-Basri ؓ that he said: "When the Messenger of Allah ﷺ arrived in Makkah, the women of Al-Madinah<sup>[2]</sup> beautified themselves and so the Companions of the Messenger of Allah ﷺ complained to him so he said:

«تَمَتُّعُوا مِنْهُنَّ وَاجْعَلُوا الْأَجَلَ بَيْنَكُمْ وَبَيْنَهُنَّ ثَلَاثًا، فَمَا أَحْسَبُ  
رَجُلًا يَتِمَكَّنُ مِنْ امْرَأَةٍ ثَلَاثًا إِلَّا وَلَّاَهَا الدُّبْرَ»

"Contract *mut'ah* marriages with them and make the period of marriage between you and them three days, for I do not know any man who takes possession of a woman for three days, except that he

<sup>[1]</sup> Narrated by Al-Bukhari (no. 5115) and Muslim (no. 1407).

<sup>[2]</sup> It seems most likely that the correct wording is: "the women of Makkah", as required by the context.

turns his back on her." This is weak, due to its being *mursal*.<sup>[1]</sup>

### Thirdly: The Year of the Conquest (of Makkah)

It is reported on the authority of Ar-Rabee' Ibn Saburah that his father ؓ fought alongside the Messenger of Allah ﷺ in the conquest of Makkah and he said: "We stayed there for fifteen days (thirty between night and day) and the Messenger of Allah ﷺ permitted us to contract temporary marriage with women. So I and another person of my tribe went out, and I was more handsome than he, whereas he was almost ugly. Each one of us had a cloak. My cloak was worn out, whereas the cloak of my cousin was quite new. As we reached the lower or the upper side of Makkah, we came across a young woman like a young smart long-necked she-camel. We said: "Is it possible that one of us may contract temporary marriage with you?" She said: "What will you give me as a dower?" Each one of us spread his cloak. She began to cast a glance on both the persons. My companion also looked at her while she was casting a glance at her side and he said: "This cloak of his is worn out, whereas my cloak is quite new." She, however, said twice or thrice: "There is no harm in (accepting) this cloak (the old one)." So I contracted temporary marriage with her, and I did not come out (of Makkah) until the Messenger of Allah ﷺ declared it forbidden."<sup>[2]</sup>

### Fourthly: The Year of Awtas.

It is reported on the authority of Salamah Ibn Al-Akwa' ؓ that he said: "The Messenger of Allah ﷺ permitted us to contract temporary marriage for three nights in the year of Awtas and then prohibited it."<sup>[3]</sup>

Narrated by Sa'eed Ibn Mansoor in his 'Sunan' (1/217) and by Abdur-Razzaq in 'Al-Musannaf' (nos. 14040 and 14043).

Narrated by Muslim (no. 20/1406).

Narrated by Muslim (no. 20/1406), Al-Baihaqi (7/204) and Ibn Hibban (no. 4151)

*The First Chapter: Types of unlawful sales.*

*The Second Chapter: Ar-Riba.*

*The Third Chapter: Al-Khiyarat (Conditional Sales).*

*The Fourth Chapter: As-Salam.*

*The Fifth Chapter: Al-Qardh.*

*The Sixth Chapter: Ash-Shaf'ah.*

*The Seventh Chapter: Al-Ijarah.*

*The Eighth Chapter: Al-Ihya' and Al-Iqta'.*

*The Ninth Chapter: Ash-Sharikah.*

*The Tenth Chapter: Ar-Rahn.*

*The Eleventh Chapter: Al-Wadee'ah and Al-'Ariyah.*

*The Twelfth Chapter: Al-Ghasb.*

*The Thirteenth Chapter: Al-'Itq.*

*The Fourteenth Chapter: Al-Waqf.*

*The Fifteenth Chapter: Al-Hadaya.*

*The Sixteenth Chapter: Al-Hibah.*

*The Seventeenth Chapter: Al-Wakalah.*

*The Eighteenth Chapter: Adh-Dhamanah or Al-Kafalah.*

*The Nineteenth Chapter: Al-Hawalalah.*

*The Twentieth Chapter: Al-Muflis.*

*The Twenty-first Chapter: Al-Luqatah.*

*The Twenty-second Chapter: As-Sulh.*

————— *The First Chapter*

## Types of Unlawful Sales

The legality of trade:

Allah, Most High says in Surah Al-Baqarah (2:275):

﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾

"Allah has permitted trading and forbidden riba (usury)."

And He, Most High says in Surah An-Nisa' (4:29):

﴿يَتَأَيُّهَا الَّذِينَ ءَامَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ  
تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ﴾





## 27. It is not permissible to separate *al-maharim* when selling:

It is reported on the authority of Abu Ayyoob ؓ that he said: "I heard the Messenger of Allah ﷺ saying:

«مَنْ فَرَّقَ بَيْنَ الْوَالِدَةِ وَوَلَدِهَا، فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أَحَبَّتِهِ يَوْمَ الْقِيَامَةِ»

"Whoever separated a mother from her child, Allah will separate him from his loved ones on the Day of Resurrection." This is an authentic *hadeeth*.<sup>[1]</sup>

On the contrary, it is more correct to say that it is permissible to separate (them), based upon the *hadeeth* of Jabir Ibn 'Abdillah ؓ who said: "We sold the children's mothers during the lifetime of the Messenger of Allah ﷺ and (during the Caliphate) of Abu Bakr ؓ. Then when 'Umar (became Caliph,) he prohibited us (from separating them), so we stopped doing it."<sup>[2]</sup>

It is also narrated on the authority of Jabir ؓ that he said: "We used to sell our captives and the mothers of our children when the Prophet ﷺ was living among us and he saw no objection to that. This is an authentic *hadeeth*."

## 28. Selling by *an-najsh* is not permissible:

It is reported on the authority of 'Abdullah Ibn 'Umar ؓ that "The Messenger of Allah ﷺ forbade *an-najsh*." This is an authentic *hadeeth*.<sup>[3]</sup>

### *An-Najsh*:

Offering a high price for something, not because one needs it but in order to deceive others into buying it.

<sup>[1]</sup> Narrated by At-Tirmizi (3/580, no. 1283), who said: "This *hadeeth* is *hasan-ghareeb*."

<sup>[2]</sup> Narrated by Abu Dawood (4/262, no. 3954).

<sup>[3]</sup> Narrated by Al-Bukhari (4/355, no. 2142) and Muslim (3/1156, no. 13/1516).

## 29. It is not permissible for a Muslim to sell something over the head of his brother:

It is reported on the authority of Abu Hurairah ؓ that he said: "The Messenger of Allah ﷺ forbade the selling of things by a town dweller on behalf of a desert dweller; and similarly *an-najsh* was forbidden. And one should not urge somebody to return the goods to the seller so as to sell him his own goods; nor should one demand the hand of a girl who has already been engaged to someone else; and a woman should not try to cause some other woman to be divorced in order to take her place." This is an authentic *hadeeth*.<sup>[1]</sup>

### The prohibition of going out to meet the caravans:

It is reported on the authority of 'Abdullah Ibn 'Abbas ؓ that he said: "The Messenger of Allah ﷺ said:

«لَا تَلْقُوا الرُّكْبَانَ وَلَا يَبِيعُ حَاضِرٌ لِّبَادٍ»

"Do not go to meet the caravans on the way (for buying their goods without letting them know the market price); a town dweller should not sell the goods of a desert dweller on behalf of the latter."

I asked Ibn 'Abbas ؓ: "What does he mean by not selling the goods of a desert dweller by a town dweller?" He said: "He should not become his broker." This is an authentic *hadeeth*.<sup>[2]</sup>

### And he has the choice (whether or not to proceed with the sale) if he knows that he has been deceived:

It is reported on the authority of Abu Hurairah ؓ that he said: "The Prophet ﷺ forbade meeting the merchant on the way and

<sup>[1]</sup> Narrated by Al-Bukhari (4/353, no. 2140) and Muslim (3/1155, no. 12/1515).

<sup>[2]</sup> Narrated by Al-Bukhari (4/370, no. 2158) and Muslim (3/1157, no. 13/1521).

(i.e. powdered barley) and dates, and let you enter a (blessed) house that in which the Prophet entered?" Then he added: "You are in a country where the practice of *riba* (i.e. usury) is prevalent; so if somebody owes you something and he sends you a present of a load of chopped straw, or a load of barley or a load of fodder, then do not take it, as it is *riba*." This is an authentic *hadeeth*.<sup>[1]</sup>

## 2. It is permissible for the borrower to do an act of kindness for the lender, without it being a condition of the loan:

It is reported on the authority of Jabir Ibn 'Abdillah ؓ that he said: "I went to the Prophet ﷺ while he was in the mosque (Mis'ar, the sub-narrator thinks that Jabir ؓ went in the forenoon.) After the Prophet ﷺ told me to pray two *rak'ahs*, he repaid me the debt he owed me and gave me an extra amount." This is an authentic *hadeeth*.<sup>[2]</sup>

## 3. Granting time for the impoverished person to repay the loan:

Allah, Most High says in *Surah Al-Baqarah* (2:280):

﴿وَإِنْ كَانَتْ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَيْسَرَةٍ وَأَنْ تَصَدَّقُوا خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ تَعْلَمُونَ﴾

"And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay, but if you remit it by way of charity, that is better for you if you did but know."

And it is reported on the authority of Huzaifah ؓ that he said: "I heard the Prophet ﷺ:

«مَاتَ رَجُلٌ فَقِيلَ لَهُ: مَا كُنْتَ تَقُولُ؟ قَالَ: كُنْتُ أَبَايِعُ النَّاسَ فَأَتَجَوَّزُ عَنِ الْمُسِيرِ، وَأُخَفِّفُ عَنِ الْمُعْسِرِ، فَعُفِّرَ لَهُ»

<sup>[1]</sup> Narrated by Al-Bukhari (7/129, no. 3814).

<sup>[2]</sup> Narrated by Al-Bukhari (5/59, no. 2394) and Muslim (1/495, no. 71715).

A man died and it was said to him: "What did you use to say (or do) (in your life time)?" He replied: "I was a businessman and I used to give time to the rich man to repay his debt and (I used to) deduct part of the debt of the poor man." So he was forgiven (his sins).

Abu Mas'ood ؓ said: "I heard the same (*hadeeth*) from the Prophet ﷺ." This is an authentic *hadeeth*.<sup>[1]</sup>

## 4. It is an act of injustice for the rich man to delay the repayment of a loan:

It is reported on the authority of Abu Hurairah ؓ that he said: The Messenger of Allah ﷺ said:

«مَطْلُ الْغَنِيِّ ظُلْمٌ»

"Procrastination (delay) in paying debts by a wealthy man is injustice." This is an authentic *hadeeth*.<sup>[2]</sup>

## 5. One who takes the people's wealth with the intention of repaying it or spoiling it:

It is reported on the authority of Abu Hurairah ؓ from the Prophet ﷺ that he said:

«مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللَّهُ»

"Whoever takes the money of the people with the intention of repaying it, Allah will repay it on his behalf, and whoever takes it in order to spoil it, then Allah will spoil him." This is an authentic *hadeeth*.<sup>[3]</sup>

## To be generous in repayment:

It is reported on the authority of Abu Hurairah ؓ that he said:

Narrated by Al-Bukhari (no. 2391).

Narrated by Al-Bukhari (no. 2400) and Muslim (no. 1564).

Narrated by Al-Bukhari (no. 2387).

«إِحْفَظْ عَوْرَتَكَ إِلَّا مِنْ زَوْجَتِكَ أَوْ مَا مَلَكَتْ يَمِينُكَ»

“Conceal your private parts except from your wife and from those whom your right hands possess (slave-girls).”

I then said: “Oh, Messenger of Allah! (What should we do) when the people are assembled together?” He replied:

«إِنْ اسْتَطَعْتَ أَنْ لَا يَرَيْنَهَا أَحَدٌ فَلَا يَرَيْنَهَا»

“If it is within your power that no one looks at it, then no one should look at it.”

I then said: Oh, Messenger of Allah! If one of us is alone (what should he do)?” He replied:

«اللَّهُ أَحَقُّ أَنْ يُسْتَحْيَى مِنْهُ مِنَ النَّاسِ»

“Allah is more entitled than people that bashfulness should be shown to him.” This hadeeth is *hasan*.<sup>[1]</sup>

## 2. It is unlawful for males to wear gold and silk and it is lawful for females:

It is reported on the authority of 'Umar Ibn Al-Khattab ؓ that he said: “The Messenger of Allah ﷺ said:

«لَا تَلْبَسُوا الْحَرِيرَ، فَإِنَّهُ مَنْ لَبَسَهُ فِي الدُّنْيَا، لَمْ يَلْبَسْهُ فِي الْآخِرَةِ»

“Do not wear silk, for those who wear it in this world will not wear it in the Hereafter.” This is an authentic hadeeth.<sup>[2]</sup>

And it is reported on the authority of Abu Moosa Al-Ash'ari ؓ that the Messenger of Allah ﷺ said:

<sup>[1]</sup> Narrated by Abu Dawood (4/304, no. 4017), Ibn Majah (1/618, no. 1920), At-Tirmizi (5/97, no. 2769), who said that it is *hasan*, and others.

<sup>[2]</sup> Narrated by Al-Bukhari (10/284, no. 5834) and Muslim (3/1641, no. 11/2069).

«أُجِلَّ الذَّهَبُ وَالْحَرِيرُ لِأَنَاتِ أُمَّتِي وَحُرِّمَ عَلَى ذُكُورِهَا»

“Gold and silver have been made lawful for the females of my ummah and they have been made unlawful for its (the ummah's) males.” This is an authentic hadeeth.<sup>[1]</sup>

## It is permissible to wear four fingers' length of silk only for men:

It is reported on the authority of Abu 'Uthman that he said: Umar ؓ wrote to us when we were in Azarbeejan (Azerbaijan) saying that: “The Prophet ﷺ forbade the wearing of silk except this much. Then the Prophet ﷺ approximated his two fingers (index and middle fingers) (to illustrate that) to us.” Zuhair (the sub-narrator) raised his middle and index fingers. This is an authentic hadeeth.<sup>[2]</sup>

In another version, narrated by Muslim, it was said: “He ﷺ forbade the wearing of silk, but to the extent of two or three fingers or four fingers.”

This is an authentic hadeeth.<sup>[3]</sup>

## It is permissible for males to wear silk, if it is for the purpose of treating an ailment:

It is reported on the authority of Anas Ibn Malik ؓ that he said: “The Prophet ﷺ permitted Az-Zubair and 'Abdur-Rahman ؓ to wear silk due the itching from which they both suffered.” This is an authentic hadeeth.<sup>[4]</sup>

<sup>[1]</sup> Narrated by An-Nasa'i (8/161, no. 5148) and At-Tirmizi (4/217, no. 1720), who said that it is *hasan*.

<sup>[2]</sup> Narrated by Al-Bukhari (10/284, no. 5829), Muslim (3/1642, no. 12/2069) and others.

<sup>[3]</sup> Narrated by Muslim (15/2069) and others.

<sup>[4]</sup> Narrated by Al-Bukhari (10/295, no. 5839), Muslim (3/1646, no. 25/2076) and others.



*The First Chapter: The Punishment for Illegal Sexual Intercourse*

*The Second Chapter: The Punishment for Stealing*

*The Third Chapter: The Punishment for Falsely Accusing a Person of Adultery*

*The Fourth Chapter: The Punishment for Consuming Alcoholic Beverages*

*The Fifth Chapter: The Punishment for the Muharib*

*The Sixth Chapter: Those Who Deserve Capital Punishment*



35

## The Book of *Al-Hudood*

### 1. The meaning of *al-hudood*:

It is the plural of *al-hadd*, the original meaning of which is something that separates between two things. Linguistically, it means prevention.

In legal terms, it means, the lawful punishments prescribed the crimes, in order to prevent other incidences of such crimes from occurring.

### 2. The dislike of intercession in *al-hadd*, once the case has been referred to those in authority:

It is reported on the authority of 'A'ishah رضي الله عنها that Quraish became very worried about the *Makhzoomiyyah* lady who had

And the Words of Allah, Most High in Surah Al-Baqarah (2:179):

﴿وَلَكُمْ فِي الْقِصَاصِ حَيَوةٌ يَا أُولِيَ الْأَلْبَابِ﴾

"And there is (a saving of) life for you in al-qisas (the law of equality in punishment), oh, men of understanding."

It is reported on the authority of Abu Hurairah رضي الله عنه that he said: "When Allah, the Almighty, the All-powerful gave victory to the Messenger of Allah ﷺ over Makkah, stood up among the people and after glorifying Allah, said:

«... وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ، إِمَّا أَنْ يُفْدَى وَإِمَّا أَنْ يُقْتَلَ»

"...And he whose relative is murdered has the option either to accept a compensation for it or to retaliate." This is an authentic hadeeth.<sup>[1]</sup>

## 2. Exaltation of the inviolability of the Muslims:

Allah, Most High says:

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا ۖ وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَظُلْمًا فَسَوْفَ نُصْلِيهِ نَارًا وَكَانَ ذَلِكَ عَلَى اللَّهِ يَسِيرًا﴾

"Do not kill yourselves and do not kill one another). Surely, Allah is Most Merciful to you. And whoever commits that through aggression and injustice, We shall cast him into the Fire, and that is easy for Allah." (Surah An-Nisa' 4:29-30)

And He, Most High says:

<sup>[1]</sup> Narrated by Al-Bukhari (1/205, no. 112) and Muslim (2/988, no. 447/1355).

﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا﴾

"And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the Wrath and the Curse of Allah are upon him, and a great punishment is prepared for him." (Surah An-Nisa' 4:93) And He, Most High says:

﴿مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَءِيلَ أَنَّهُ مَن قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا﴾

"Because of that We ordained for the Children of Israel that if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land - it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind." (Surah Al-Ma'idah 5:32)

And it is reported on the authority of Abu Hurairah رضي الله عنه that the Messenger of Allah ﷺ said:

«اجْتَنِبُوا السَّبْعَ الْمُوبِقَاتِ» قِيلَ: يَا رَسُولَ اللَّهِ! وَمَا هُنَّ؟ قَالَ: «الشِّرْكُ بِاللَّهِ، وَالسَّحَرُ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ، وَأَكْلُ مَالِ الْيَتِيمِ، وَأَكْلُ الرِّبَا، وَالتَّوَلَّى يَوْمَ الزَّحْفِ، وَقَذْفُ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ»

"Avoid the seven great destructive sins." The people enquired: "Oh, Messenger of Allah! What are they?" He said: "To join others in worship along with Allah, to practice sorcery, to kill the life which Allah has forbidden except for a just cause, (according to Islamic law), to eat up riba (usury), to eat up an orphan's wealth, to give back to the enemy and fleeing from the battlefield at the time of fighting, and to accuse chaste women, who never

And the aforementioned *hadeeth* of Abu Hurairah رضي الله عنه, in the Book of *Jihad*, paragraph 10.

And it is reported on the authority of 'Abdullah Ibn 'Umar رضي الله عنه from the Prophet ﷺ that he said:

«السَّمْعُ وَالطَّاعَةُ عَلَى الْمَرْءِ الْمُسْلِمِ فِيمَا أَحَبَّ وَكَرِهَ مَا لَمْ يُؤْمَرْ بِمَعْصِيَةٍ، فَإِذَا أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ»

"A Muslim has to listen to and obey (the order of his ruler) whether he likes it or not, as long as his orders do not involve one in disobedience (to Allah), but if an act of disobedience (to Allah) is imposed, one should not listen to it or obey it." This is an authentic *hadeeth*.<sup>[1]</sup>

## 2. It is not permissible to rise up against the ruler, so long as he establishes prayer and does not display open signs of disbelief:

It is reported on the authority of 'Awf Ibn Malik Al-Ashja'i رضي الله عنه that he said: "I heard the Messenger of Allah ﷺ saying:

«خَيْرُ أَيْمَتِكُمُ الَّذِينَ تُحِبُّونَهُمْ وَيُحِبُّونَكُمْ، وَتُصَلُّونَ عَلَيْهِمْ وَيُصَلُّونَ عَلَيْكُمْ، وَشَرَّارُ أَيْمَتِكُمُ الَّذِينَ تُبْغِضُونَهُمْ وَيُبْغِضُونَكُمْ، وَتَلْعَنُونَهُمْ وَيَلْعَنُونَكُمْ» قَالَ قَالُوا: يَا رَسُولَ اللَّهِ! أَفَلَا نُنَازِلُهُمْ عِنْدَ ذَلِكَ؟ قَالَ: «لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ، قَالَ: لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ. أَلَا! مَنْ وَلِيَ عَلَيْهِ وَالٍ، فَرَأَاهُ يَأْتِي شَيْئًا مِنْ مَعْصِيَةِ اللَّهِ، فَلْيَكْرَهُ مَا يَأْتِي مِنْ مَعْصِيَةِ اللَّهِ، وَلَا يَنْزِعَنَّ يَدًا مِنْ طَاعَةٍ»

"The best of your rulers are those whom you love and who love you, who invoke Allah's Blessings upon you and you invoke His Blessings upon them. And the worst of your rulers are those whom you hate and who hate you and whom you curse and who

[1] Narrated by Al-Bukhari (13/121, no. 7144) and Muslim (3/1469, no. 38/1839).

curse you." It was asked (by those present): "Shouldn't we overthrow them with the help of the sword?" He said: "No, as long as they establish prayer among you. If you then find anything detestable in them, you should hate their administration, but do not withdraw yourselves from their obedience." This is an authentic *hadeeth*.<sup>[1]</sup>

And it is reported on the authority of Huzaifah Ibn Al-Yaman رضي الله عنه that he said: "I said: "Oh, Messenger of Allah! No doubt, we had an evil time (i.e. the days of the *jahiliyyah* or ignorance) and Allah brought us a good time (i.e. Islamic period) through which we are now living. Will there be a bad time after this good time?" He (the Prophet [sall Allahu 'alaihi wa alihi wa sallam]) said: "Yes." I said: "Will there be a good time after this bad time?" He said: "Yes." I said: "Will there be a bad time after this good time?" He said:

«نَعَمْ» قُلْتُ: فَهَلْ وَرَاءَ ذَلِكَ الْخَيْرُ شَرٌّ؟ قَالَ: «نَعَمْ» قُلْتُ: كَيْفَ؟ قَالَ: «يَكُونُ بَعْدِي أَيْمَةٌ لَا يَهْتَدُونَ بِهَدَايَ، وَلَا يَسْتَنُونَ بِسُنَّتِي، وَسَيَقُومُ فِيهِمْ رِجَالٌ قُلُوبُهُمْ قُلُوبُ الشَّيَاطِينِ فِي جُثَمَانِ إِنْسٍ» قَالَ: قُلْتُ: كَيْفَ أَصْنَعُ؟ يَا رَسُولَ اللَّهِ! إِنْ أَدْرَكْتُ ذَلِكَ؟ قَالَ: «تَسْمَعُ وَتُطِيعُ لِلْأَمِيرِ، وَإِنْ ضَرَبَ ظَهْرُكَ، وَأَخَذَ مَالُكَ، فَاسْمَعْ وَأَطِعْ»

"Yes." I said: "How?" Whereupon he said: "There will be leaders who will not be led by my guidance and who will not adopt my ways. There will be among them men who will have the hearts of devils in the bodies of human beings." I said: "What should I do, oh, Messenger of Allah, if I (happen) to live in that time?" He replied: "You should listen to the Ameer and carry out his orders, even if your back is flogged and your wealth is snatched, you should listen and obey." This is an authentic *hadeeth*.<sup>[2]</sup>

[1] Narrated by Muslim (3/1482, no. 66/1855).

[2] Narrated by Muslim (3/1476, no. 52/1847).